



STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION KAKUHIHEWA BUILDING 601 KAMOKILA BLVD. STE 555 KAPOLEI, HAWAII 96707

SUZANNE D. CASE

CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA

JEFFREY T. PEARSON

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
KAHOOLAWE ISLAND RESERVE COMMISSION LAND

STATE PARKS

APPROVED MINUTES O'AHU ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, November 9th, 2016

TIME: 10:15 AM

Department of Land and Natural Resources PLACE:

Board Room

Kalanimoku Building, 1st Floor

1151 Punchbowl Street Honolulu, Hawaii 96813

Charles 'Chuck' Ehrhorn, Large Landowner rep., Chairperson, OIBC Attendance:

C. Aulii Mitchell, Waianae Moku rep., Vice Chairperson, OIBC

Danna Holck, Large Landowner rep. Kali Fermantez, Koʻolauloa Moku rep. C. Mana Caceres, Ewa Moku rep.

Regina K. Hilo, Burial Sites Specialist, History and Culture **SHPD Staff:**

Kimi Matsushima, Oahu Lead Archaeologist, Archaeology

Dr. Susan A. Lebo, Branch Chief, Archaeology

Guests: Mike K. Lee, Cultural Descendant

Kawika McKeague, G70

Kihei deSilva, Kailua Kau a Hooilo Kahala Motoyama, Cultural Descendant Peter Gonsalves, Cultural Descendant Agnes Kamana, Cultural Descendant Garrick Iwamura, Honolulu C&C Cory Simon, Cultural Surveys Hawaii Danielle Yafuso, First Hawaiian Bank Matt McDermott, Cultural Surveys Hawaii David Shideler, Cultural Surveys Hawaii Mapuana deSilva, Kailua Kau a Hooilo Steve Tomei, Sam Hirota (construction) Morgan Davis, SCS Archaeology Richard Sato, Waialae Country Club Jessica K. Eaton, Waialae Country Club Hal Hammatt, Cultural Surveys Hawaii Jon Tulchin, Kamehameha Schools Trever Duarte, International Archaeology Punahele Motovama, Cultural Descendant

Herb Chock, Waialae Country Club

Lani Maa Lapilio, Aukahi Yuklin Aluli, Landowner

Frank Pestana, Kawaiahao Gregg Kodama, Brett Hill Management Kaanohi Kaleikini Bill Haole, Kawaiahao

I. CALL TO ORDER

Meeting was called to order by Oahu Island Burial Council Chair Ehrhorn at 10:15 AM

II. ROLL CALL/PULE

Meeting was opened with pule

The Oahu Island Burial Council members introduced themselves in the following order: Aulii Mitchll, Danna Holck, Chuck Ehrhorn, Kali Fermantez, and Mana Caceres

III. APPROVAL OF MINUTES

Deferred to future OIBC meeting

- A. Minutes from 07/13/2016
- B. Minutes from 09/14/2016

IV. BUSINESS

A. Discussion on O'ahu Island Burial Council membership, roles, and responsibilities Information/Discussion: Discussion on the above items.

Summary of discussion follows, below:

inquiry on current OIBC vacancies and applications received by Boards and Commissions to fill the vacancies

Programmatic Agreement for Ala Wai Watershed – Chair Ehrhorn asked Regina K. Hilo (SHPD) to invite an archaeologist from the Army Corps to attend the meeting and explain the project as well as the stipulations in the Programmatic Agreement

Kahana inadvertent and discussions with the descendants

Mike Lee mentioned the iwi at Hoakalei, which included a lei niho palaoa, and that it took 10 years for the iwi to be reburied; need to coordinate with Kim Kalama on access for descendants

Kahala Motoyama mentioned that actions at the Ala Wai as part of the Ala Wai Watershed Programmatic Agreement will affect Manoa; recommended getting a soils report from Katie Kamelamela who provides a thorough summary of her work and findings of Manoa soils in the Ala Wai

Kali Fermantez stated that he talked with "Naaupo" [the individual who called the news station to report the iwi at Kahana, which was subsequently filmed and presented on the local news]; Kali shared the broader context of what happened at Kahana and the involved parties at Kahana with Naaupo; Kali supports the SHPD's position

Mana Caceres mentioned the three vacancies for the Oahu Island Burial Council and urged the public to reach out to their communities and ask individuals to apply to fill the vacancies

B. Department's Recommendation to Recognize Michael Kumukauoha Lee as Cultural Descendant to Unidentified Human Skeletal Remains Encountered at First Hawaiian Bank East Manoa Road Branch Project, 'Ili of Kolowalu, Waikiki/Manoa Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025

Discussion/Determination: Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at the above project.

Chair Ehrhorn read the above agenda item onto the record Mike Lee provided testimony, summarized below:

4th great-grandparents were in this area; meetings with First Hawaiian Bank were good, and the conversation continues between the Bank and the descendants, with 2 meetings held already

Chair Ehrhorn opened the floor for discussion; none received

Motion: to accept the Department's Recommendation to Recognize Michael Kumukauoha Lee as Cultural Descendant to Unidentified Human Skeletal Remains Encountered at First Hawaiian Bank East Manoa Road Branch Project, 'Ili of Kolowalu, Waikiki/Manoa Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025

Moved by: Aulii Mitchell 2nd: Kali Fermantez

Vote: All in favor, none opposed

C. Department's Recommendation to Recognize Elizabeth-Ann Kahalaopuna Motoyama and Karl Punahele Kazunori Motoyama as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at First Hawaiian Bank East Manoa Road Branch Project, 'Ili of Kolowalu, Waikiki/Manoa Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025

Discussion/Determination: Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at the above project.

Chair Ehrhorn read the above item onto the agenda

Kahala Motoyama and Punahele Motoyama sat at the table; Kahala Motoyama provided testimony, summarized below:

Kahala thanked Kaanohi Kaleikini for blazing a path; Kahala can walk to the location where the iwi were discovered in 10 to 15 seconds from where she lives in Manoa; she is concerned that the cemetery is close to First Hawaiian Bank; she is happy that the council Chair mentioned and discussed the Ala Wai [Watershed] Programmatic Agreement; Manoa Valley Theatre is on the exact location of the former chapel; names of families buried in the cemetery are: Woolsey, Koani, Kaeo, Silva, and Ordenstein; in the 1830's, over 300 people were buried there, though maybe the iwi has been washed away; Manoa Valley Theatre refreshment bar was built over Kahala's great-grandmother's grave – she was disinterred, as Kawaiahao council Portnoy had her moved; Kahala has concerns about doing this right; in the 1950's, East Manoa Road was widened, so there was pushing and shoving of soil, possibility that these iwi were impacted by those actions; her concerns are the Council's practices, as Kahala has read Kaanohi's case and knows what rights were won; Kahala stated that she is not anti-business; 1) iwi found on different places on the property, 2) concerned about the areas in between, and 3) the anticipated levels of ground disturbance; wanted to ensure the Burial Treatment Plan being developed is respectful to kupuna; is concerned about the building being demolished

Chair Ehrhorn asked if the Burial Council members had any comments;

Mana replied, stating that the kuleana to mala iwi is a family kuleana, therefore decisions should be made as a family

Motion: to accept he Department's recommendation to recognize Elizabeth-Ann Kahalaopuna Motoyama and Karl Punahele Kazunori Motoyama as Cultural Descendants to Unidentified Human Skeletal Remains Encountered at First Hawaiian Bank East Manoa Road Branch Project, 'Ili of Kolowalu, Waikiki/Manoa Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025

Moved by: Kali Fermantez

2nd: Danna Holck **Vote:** All in favor D. Department's Recommendation to Recognize Peter Kahinuonalani Gonzalves as Cultural Descendant to Unidentified Human Skeletal Remains Encountered at First Hawaiian Bank East Manoa Road Branch Project, 'Ili of Kolowalu, Waikiki/Manoa Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025

Discussion/Determination: Discussion and determination to recognize the above individual as cultural descendant to unidentified human skeletal remains at the above project.

Chair Ehrhorn read the above agenda item onto the record

Peter Gonsalves provided testimony, summarized below:

Ohana name is Opunui, lived in Manoa as a child, played in the graveyard, lived on Woodlawn; moved to Kaneohe in 1966; Opuhui ohana lived in Manoa for a long-time, they were descendants of Princess Kahanu, and the descendants are buried there; Peter stated that he is before the OIBC to represent his ohana and ensure the BTP will protect the iwi; he is a retired firefighter; Peter has 12 years of precision aerial photography for litigation and history experience; he knows of another project abutting the graveyard

Chair Ehrhorn opened the floor for comments; comments from:

Kahala Motoyama – Agnes (Neki), herself, and Peter are all born and raised in Kolowalu; Neki – born in the family home where Safeway is now, knows the cemetery; concerned about the iwi

Chair Ehrhorn stated that cultural descendants are representatives of the iwi

Council Member Fermantez said 'mahalo' to Peter, Kahala, and Neki, as they are born and raised in the project area

Motion: To accept the department's recommendation to **r**ecognize Peter Kahinuonalani Gonzalves as Cultural Descendant to Unidentified Human Skeletal Remains Encountered at First Hawaiian Bank East Manoa Road Branch Project, 'Ili of Kolowalu, Waikiki/Manoa Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025 Moved by: Mitchell

2nd: Caceres

VOTE: ALL IN FAVOR

E. Burial Treatment Plan for the Turtle Bay Resort Sites 7288 and 7289 and Isolated Human Remains from Site 4488; Oi'o, Ulupehupehu, Hanaka'oe, and Punalau Ahupua'a, Ko'olauloa District, Island of O'ahu, TMK: [1] 5-7-001:001, 013 and 020 Information/Discussion: Update on the above project.

Updates provided by Dawn Chang - Kuiwalu

Summary of testimony follows, below:

Dawn: following OIBC meeting on July 13, 2016, the project proponents met to discuss comments and recommendations from the meeting; brief summary of the AIS and supplemental AIS – extensive fieldwork, 340 trenches, 3 burials: 7288 – Test area B, shallow, scattered remains, subject to tidal inundation; 4488 – Test area C, isolated toe bone, in an area where remains had been discovered before; 7289 – Test area D, probably flexed position, in an area with floor and possible habitation

July 2016: Dawn met with the Kahuku Burial Committee (KBC) and Turtle Bay, KBC recommended that 7289 be preserved in place, establish a burial preservation area/reinternment location; 4488 toe bone be reburied with the other iwi recovered from that area; 7289 disinter and move to established reburial area

BTP has not been prepared yet; consultation with SHPD; robust mitigation plan including preservation of trail; plan on coming back in the future with a full BTP

Chair Ehrhorn asked if there were any comments No comments received: Item F was taken next

F. Ala Wai Golf Course Parking Improvements Project, Site 50-80-14-7959, Waikīkī Ahupua'a, Honolulu District, O'ahu Island, TMK: [1] 2-7-036:002

Information/Discussion: Update on the above project.

Chair Ehrhorn read the above agenda item onto the record

Project updates were provided by Trever Duarte – IARII

Summary of testimony follows, below:

Trever: presenting project on behalf of the project proponents; excavations approximately 0.6-0.9cm below surface (cmbs) for bioretention areas; LCA 10806 – Kamehameha; LCA for Keohokalole; previous burials: -04097, relocated to Halia Aloha, -7606 buried in karst cavern along Date Street; AIS under review at the SHPD; BTP in preparation; funded to begin construction in 2017, lasting approximately 18 months; excavation at deepest point is 3.4 ft. below surface

G. Archaeological Inventory Survey Plan for a Planned Undertaking at the former Fisher Hawaii location, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-1-054:001

Information/Discussion: Update on the above project.

Chair Ehrhorn read the above agenda item onto record

Project updates were provided by Jon Tulchin, Kamehameha Schools

Summary of testimony follows, below:

Jon: developing testing strategy; initiated consultation with recognized descendants; comprehensive testing strategy, though utilities are active and trenches may need to be realigned; pre-planning and investigative stage

Council Member Fermantez asked who the recognized descendants included were

Jon answered Kaanohi Kaleikini; would like to start consultation early

Council Member Fermantez stated early and often

Chair Ehrhorn asked what the plans for the parcel were

Jon answered probably mixed residential, consistent with other work there

Chair Ehrhorn asked if there were any comments

Neki – lots of residents in Kakaako before, so lots of possibilities

Vice Chair Mitchell asked if there were LCAs, a record of previous use

Jon answered there were no LCAs, and the previous use was for salt

H. First Hawaiian Bank East Mānoa Road Bank Project, Mānoa Ahupua'a, Honolulu (Kona) District, Island of O'ahu, TMK: [1] 2-9-013:036 and [1] 2-9-022:025

Information/Discussion: Update on the above project.

Chair Ehrhorn read the above agenda item onto the record

Project updates provided by Danielle Yafuso – First Hawaiian Bank; and Matt McDermott – CSH

Summary of presentation and discussion:

PowerPoint presentation

All burial remains can be preserved in place within a landscaped area; investigation of soils and possible buried feature; USDA soil classification: TCC (Tantalus silty clay loam) and Makiki Stony Clay Loam, boulder colluvium

Project affect to springs at Manoa; Moiliili Karst; Mr. Chester Lao – head hydrologist from Board of Water Supply, stated that it doesn't appear the project scale and location will affect

springs and water flow; 7 borings done for geotechnical survey; next steps for AIS – Section 106 MOA: 1) architectural mitigation, 2) supplemental testing, 3) archaeological monitoring, and 4) burial treatment plan

Archaeological monitoring plan

BTP – if iwi found during demolition, becomes previously identified, therefore jurisdiction of OIBC

Kahala: concerned about the landscaping in the BTP

Yuklin: who are the signatories for the MOA?

Matt: FDIC, SHPD, FHB; cultural descendants are consulted as well

I. Kālia Fort DeRussy Wastewater System Improvements Project, Waikīkī Ahupua'a, Honolulu (Kona) District, O'ahu, TMK: [1] 2-6-005:001 (por.) + Easements Information/Discussion: Update on the above project.

Chair Ehrhorn read the above agenda item onto the record

Updates provided by Matt McDermott – CSH; and Kawika McKeague – G70

Summary below:

Project nearing end, with last update anticipated for Dec. 2016; 12 each of 55 gallon drums; iwi curated in on-site facility; Neller-Kalia trench – iwi recovered will be reburied in the sediment; Dec. 2015 – 2 inadvertents, Paoa-Kalia corner for bus pull-out; curb cutting and resurfacing, subject to federal jurisdiction and remains to NAGPRA

Vice Chair Mitchell said 'mahalo' to CSH osteologists and Kaanohi and OCR for their hard work

J. Proposed Renovations of the Waialae Country Club Clubhouse and Fitness Center, Waikīkī Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 3-5-023:003 and :038 (por.) Information/Discussion: Update on the above project.

Updates provided by Morgan Davis and Liz Pestana – SCS Archaeology Summary below:

Update of previous archaeological work, approximately 2-3 years ago, and introduction of new proposed work

2013 Annex: potential for more materials to be present

Herb Chock, Waialae Country Club: project is limited to the green wall lines (map distributed), as there is only an expansion of office; trees in red will be removed; orange indicates new landscaping, tree installation, which will require ground disturbance

Consultation started with descendants and with OIBC

Chair Ehrhorn asked about the burial preserve area

Liz stated it was under the building

Council Member Caceres stated he and his family participated in reburial; in situ, preserved in place

Council Member Holck asked about access

Liz stated there was not access

Chair Ehrhorn asked if preservation in place was done by redesigning the elevator

Liz stated yes

Chair Ehrhorn asked about the other reburial locations

Liz stated 7207 was on the clubhouse grounds; 7206 was relocated to 7207.

Council Member Fermantez asked when the Fitness Center construction took place

Liz answered 2013; 7207 is a planted area, with a vault, underground

Morgan stated the consultation with descendants and SHPD will continue

SHPD Archaeology branch chief Susan stated the soil testing strategy was developed with the SHPD

Chair Ehrhorn asked about testing type

Morgan stated AIS for the footing areas

Kaanohi stated she wanted to see the contact correspondence

Vice Chair Mitchell asked who did the relocation of 7206 to 7207

Morgan stated it as back in December, and wasn't sure who did it

K. Archaeological Inventory Survey at Aluli Residence, Kailua Ahupua'a, Ko'olaupoko District, Island of O'ahu, TMK: [1] 4-3-028:032

Information/Discussion: Update on the above project.

Updates provided by Trever Duarte – IARII; Dawn Chang – Kuiwalu; and Yuklin Aluli – landowner and project proponent

Summary below:

Complex situation, not asking for a determination; looking for guidance from OIBC; Aluli has connections to Kaneohe and Kailua; Central Pacific Building Contractors retained, permit had been submitted but not approved; area awarded to Queen Kalama

Case-by-case basis

Kaanohi: would support Yuklin's request

DPP, Kihei – Consensus needs to take place

Dawn: presumption is preservation in place, case-by-case treatment; at the end of the day, who is going to malama the iwi? Take Vice Chair's recommendation to consult.

Vice Chair Mitchell recommended consultation

Dawn: guidance from OIBC is consultation with recognized descendants

Susam: recommends consultation; if consensus is preservation in place, then AIS would stop

Dawn: incomplete AIS fieldwork, no AIS, no BTP

Chair Ehrhorn stated first step is consultation with Kailua group.

Yuklin stated she is not a developer

Kaanohi: since AIS has started, it should be finished. This is not the appropriate time for consultation.

Dawn: hearing recommendations to consult. Need to find a way to finish the AIS.

L. Kawaiaha'o Church Multi-Purpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: [1] 2-1-032:017.

Information/Discussion: Update on the above project.

Updates provided by David Shideler – CSH; Lani Maa – Aukahi; Bill Haole – Kawaiahao Church

Summary below:

AISP submitted; Multi-purpose Center removed approximately 200 tons of material; any human skeletal remains encountered will be previously identified, therefore the disposition is OIBC's jurisdiction; monthly update, 24-hour notification of any finds; Kona moku representative was previously the notification contact; AIS will be starting soon; anticipated findings: current Kawaiahao Church is the 5th one, previous ones were bigger; summer 1838, the current church, excavation – 78' width, significant basement excavated, with encountered burials at that time being moved, under the guidance of Kamehameha the 3rd, some not collected; AIS moving forward with no intent of moving the iwi

Chair Ehrhorn asked how soon

David stated possibly next week. Water, sewer, and electrical side-by-side doesn't work well; Church would like the excavation as minimal as possible

Greg Kodama – construction

Frank Pestana – Church

Frank: Electrical lines are where HECO requests them

Chair Ehrhorn asked why not move the waterline

Frank: no connection

Chair Ehrhorn asked about microtunneling

David: explored, but not a viable option and not supported by the Native Hawaiian consultants.

Alani: Microtunneling, if board has been approached, but not aware of the context, then likely going to Point B from A is done as quickly and efficiently as possible

Discussion context unknown, where micro-tunneling is done in sensitive areas, you still require large entry and exit pits

Alani: has its own set of challenges and doesn't avoid iwi issues

David: OIBC point-of-contact for notification and also how to consult if not meeting

Council Member Fermantez said 'mahalo' for the site visit. Kaumaha. Whatever OIBC can do to facilitate reinterment. Curation seems pono.

V. INADVERTENTS/COMMUNICATION

A. Inadvertent Discovery of Human Skeletal Remains on Sept. 27, 2016, at 413 Seaside Avenue, Waikīkī Ahupua'a, Kona (Honolulu) District, Island of O'ahu, TMK: [1] 2-6-021: 056, 057, 062, 065

Information/Discussion: Discussion on the above find.

Updates provided by Regina K. Hilo

B. Inadvertent Discovery of Human Skeletal Remains on Oct. 25, 2016 at 1011 Mokulua Drive, Kailua Ahupua'a, Ko'olaupoko District, Island of O'ahu, TMK: [1] 4-3-006:034 (por.)

Information/Discussion: Discussion on the above find.

Updates provided by Regina K. Hilo

C. Correspondence from the Honolulu Board of Water Supply, dated Sept. 13, 2016, received in office on Sept. 21, 2016, Re: Request for Comments, Halawa Valley Groundwater Study Monitoring Well Installation, Hālawa Ahupua'a, 'Ewa Moku, O'ahu Island, proposed project area at TMK: [1] 9-9-010:046, 9-9-010:008, and 9-9-010:010

Information/Discussion: Discussion on the above correspondence.

No discussion

D. Correspondence from the State of Hawaii Department of Transportation – Highways Division at Kapolei, dated Sept. 21, 2016, received in office on Sept. 23, 2016, Re: Federal-Aid Project No. IM-HI-1(244) - National Historic Preservation Act, Section 106 and U.S. Department of Transportation Act of 1966, Section 4(f), Consultation on Interstate Route H-1 Guardrail and Shoulder Improvements Project, Kapiolani Interchange to Ainakoa Avenue, Kona District, Island of Oʻahu, TMKs: [1] 2-7-029, 2-7-030, 3-2-001, 3-2-007, 3-2-009, 3-2-010, 3-2-011, 3-2-012, 3-2-013, 3-2-038, 3-2-040, 3-2-041, 3-2-042, 3-2-043, 3-3-011, 3-3-012, 3-5-016, 3-5-017, 3-5-019, 3-5-023, 3-5-025, 3-5-044

Information/Discussion: Discussion on the above correspondence.

No discussion

E. Correspondence on the National Historic Preservation Act Section 106 and Hawaii Revised Statutes §6E Consultation for Proposed Activity in a 100-year Floodplain, Hale Kewalo Project, Honolulu Ahupua'a, Kona District, Island of O'ahu, TMK: []1 2-3-051:026 & 049. Information/Discussion: Discussion on the above correspondence.

No discussion

F. Site Visit request made by Michael Kumukauoha Lee for the Hoakalei Burial Preserve, Hono'uli'uli Ahupua'a, 'Ewa District, Island of O'ahu Information/Discussion: Discussion on the above correspondence.

Deferred, as applicant was not present

G. Burial Registration Application and supporting materials from Michael Kumukauoha Lee for the Location of the Hoʻopili Train Station, Honoʻuliʻuli Ahupuaʻa, 'Ewa Moku, Island of Oʻahu, TMK: [1] 9-1-017:004

Information/Discussion: Discussion on the above correspondence.

Deferred, as applicant was not present

VI. ANNOUNCEMENTS

A. Next meeting date is scheduled for Wednesday, December 14th, 2016 at 10 AM.

Meeting adjourned at 1:53 PM

Approved and ratified at the Oahu Island Burial Council's meeting on May 10th, 2017
Respectfully submitted by Regina K. Hilo, Burial Sites Specialist, History and Culture Branch, on 5/11/2017